

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JOSE PRECIADO, and ALBERTO  
HINEGES JR.,

Defendants.

**4:15CR3026**

**ORDER**

Defendant Hineges has orally moved to continue the pretrial motion deadline, (filing no. 59), because a recent Circuit ruling may impact the defendant and needs to be investigated before deciding if pretrial motions should be filed. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Hinegas' motion to continue, (filing no. 59), is granted.
- 2) **As to both defendants**, pretrial motions and briefs shall be filed on or before July 17, 2015.
- 3) Based upon the showing set forth in the defendant Hinegas' motion, and the representations of counsel, the Court further finds that the ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and **as to both defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and July 17, 2015, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

June 8, 2015.

BY THE COURT:  
s/ Cheryl R. Zwart  
United States Magistrate Judge